

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,  
*ex rel.* RICK HARROLD,

*Plaintiff-Relator,*

v.

CLINICAL CORP., MEDTEK CORP.,  
RWR HOLDINGS, CLINCARE LLC,  
MEDCLOUD GLOBAL, LLC, JONATHAN  
LAMBERT, MAX BREWER, BRIAN  
PODOLAK, and JOHN DOES 1-33,

*Defendants.*

Civil Action No. 16-cv-2115

**THE UNITED STATES' NOTICE OF CONSENT TO SETTLEMENT AND  
DISMISSAL OF CLAIMS UNDER THE FALSE CLAIMS ACT**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States provides the Court with notice of its consent to the settlement executed by relator Rick Harrold ("Relator") and defendant Clincare LLC ("Clincare"), as well as to the dismissal of Relator's *qui tam* claims against Clincare with prejudice as to Relator and **without prejudice** as to the United States, and states as follows:

1. Relator's operative Amended Complaint (Doc. 40) alleges that defendants, including Clincare, knowingly violated 31 U.S.C. §§ 3729(a)(1)-(3) of the False Claims Act.
2. The United States has previously notified the Court of its decision not to intervene in this action. (Doc. 16.)
3. Relator and Clincare have, pursuant to the terms set forth in a settlement agreement executed between themselves and to which the United States is not a party, stipulated to the dismissal of Clincare from this action with

prejudice as to Relator, and without prejudice as to the United States.  
(Doc. 52.)

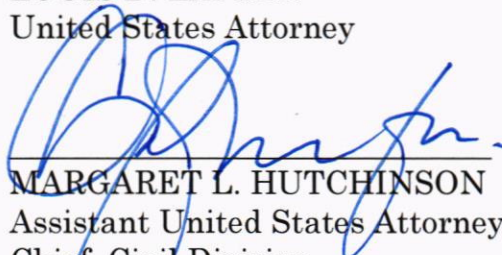
4. Under 31 U.S.C. § 3730(b)(1), the United States must consent to any voluntary settlement and dismissal in a False Claims Act *qui tam* action. *See, e.g., United States ex rel. Michaels v. Agape Senior Cmty, Inc.*, 848 F.3d 330, 339-40 (4th Cir. 2017).
5. As the stipulated dismissal is without prejudice to the United States to bring such claims in this or other fora, and having determined that such a dismissal is commensurate with the public interest, the United States hereby provides its written consent to the settlement between Relator and Clincare and to the dismissal of Relator's claims against Clincare without prejudice to the United States.

Dated: February 26, 2018

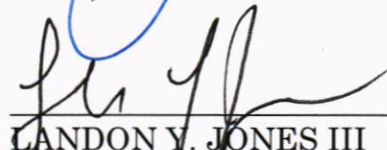
Respectfully submitted,

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### Certificate of Service

I certify that I have on this date filed the foregoing United States' notice of consent to settlement and dismissal of claims under the False Claims Act electronically with the Court and the document is available for viewing and downloading from the ECF System. Electronic service of the Notice of Electronic Case Filing generated by the ECF System constitutes service of the filed documents on the following parties who have consented to electronic service:

***VIA ECF***

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/s Landon Y. Jones III

Landon Y. Jones III  
Assistant United States Attorney

Dated: February 26, 2018